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11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

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14 *In re: Hyundai and Kia Engine*
15 *Litigation II*

CASE No. 8:18-cv-02223-JLS-JDE

16 **STATUS UPDATE REGARDING**
17 **NOTICE TO CERTAIN CLASS**
18 **MEMBERS**

19 The Hon. Josephine L. Staton
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Pursuant to the Court’s order approving a modified notice to owners and lessees of certain Kia class vehicles, Dkt. 154, and the further update to the Court submitted by Defendants Kia America, Inc. and Kia Corporation (together, “Kia”) proposing revised deadlines to account for new notice date, Dkt. 155,¹ Kia provides the following update:

Notice to Affected Class Members. On November 22, 2023, Epiq emailed the summary notice to 3,636 class members. *See* Declaration of Amanda Sternberg (“Sternberg Decl.”) ¶ 6. Only 266 of these email notices were returned to Epiq as undeliverable, representing a 93% success rate.

On November 22, 2023, Epiq mailed (via first class mail) 16,404 Class Notices with a Court-approved cover notice to these affected class members. *Id.* ¶ 8. Of these notices, 2,155 were returned as undeliverable, and Epiq then remailed 1,419 notice packages after performing advanced address research. *Id.* ¶ 9. This represents a 95% rate of successful notice via mail.

Opt Outs and Objections. The deadline for owners or lessees of this set of class vehicles to opt out or object was December 26, 2023. Dkt. 154, 155. As of January 4, 2024, Kia’s settlement administrator has not received any opt out requests or objections from affected class members. Sternberg Decl. ¶ 12.

Claims Received. As of January 4, 2024, Epiq has received 419 claims, of which 397 have been assessed as fraudulent bot filings and 22 determined to be legitimate submissions by affected class members. *Id.* ¶ 10. Epiq is reviewing these claims as part of its normal claims review process. *Id.* ¶ 11. These claims are also included as part of the regular claims reporting to Class Counsel. *Id.*

KSDS Installation Rates. For these affected class members, the deadline to install the knock sensor detection software update to be eligible for certain claims under the settlement is April 20, 2024. Dkt. 144, 145. Approximately 590,802 class

¹ The Court has not yet entered an order approving of the modified schedule,

1 vehicles, or approximately 63.4%, have KSDS installed as of January 4, 2024.
2 Sternberg Decl. ¶ 13.

3 Given that no affected class members have requested exclusion or objected to
4 the settlement, Kia proposes that no further hearing is necessary.

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6 DATED: January 8, 2024

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9 By: /s/ Shon Morgan

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